

# COHENMILSTEIN

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September 30, 2021

**VIA ECF**

Hon. Magistrate Judge Sarah Netburn  
Thurgood Marshall  
United States Courthouse  
40 Foley Square  
New York, NY 10007

**Re: *Set Capital LLC, et al., v. Credit Suisse Group AG, et al.*, No. 18-cv-02268**

Dear Magistrate Judge Netburn:

We write, together with counsel to Defendants Credit Suisse Group AG, Credit Suisse AG, Credit Suisse International, Tidjane Thiam and David M. Mathers (collectively, “Credit Suisse”), on behalf of Lead Plaintiffs in the above-captioned action pursuant to item 16 of the Civil Case Management Plan and Scheduling Order (“CMO”) (ECF No. 166).

Pursuant to the CMO, the parties have exchanged initial disclosures, Credit Suisse has answered the Complaint, and Credit Suisse has produced to Lead Plaintiffs all documents previously produced to the SEC or FINRA in connection with the allegations in the Complaint. Lead Plaintiffs have also served subpoenas on Janus Henderson Group PLC, Janus Index & Calculation Services LLC, and Janus Distributors LLC d/b/a Janus Henderson Distributors, and on CBOE Futures Exchange, LLC.

At this time, the parties intend to move forward with the remaining deadlines in the CMO.

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If the Court has any questions or concerns, we are available at the Court's convenience.

Respectfully submitted,

/s/ Michael B. Eisenkraft  
Michael B. Eisenkraft  
COHEN MILSTEIN SELLERS  
& TOLL PLLC

*Counsel to Lead Plaintiffs and the Proposed  
Class*

/s/ Herbert S. Washer  
Herbert S. Washer  
CAHILL GORDON & REINDEL LLP

*Counsel to Credit Suisse Group AG, Credit  
Suisse AG, Credit Suisse International  
Tidjane Thiam and David M. Mathers*